

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

BRYAN O'NEIL WHITE,

Plaintiff,

v.

D. PARKS WHITE, et al.,

Defendants.

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No. 3:23-cv-00097-CDL-CHW

**Proceedings Under 42 U.S.C. §1983
Before the U. S. Magistrate Judge**

ORDER

Pro se Plaintiff Bryan O'Neil White, an inmate at Madison County Jail in Danielsville, Georgia, filed a 42 U.S.C. § 1983 complaint. ECF No. 1. Plaintiff also filed a motion to proceed *in forma pauperis*. ECF No. 2. On October 26, 2023, the Court granted Plaintiff's motion to proceed *in forma pauperis* and ordered that he pay a partial initial filing fee of \$11.19 within fourteen days. ECF No. 8. Plaintiff did not pay the fee. Therefore, on November 20, 2023, Plaintiff was ordered to show cause why this case should not be dismissed for failure to comply with an order of the court. ECF No. 11. On December 4, 2023, Plaintiff filed a response to the order to show cause dated November 28, 2023. ECF No. 12. Plaintiff states in his response that "I have informed Lt Bell, Captain Segar ect... about taking out 11.19 and submitted over to the court. But Madison County Sheriff office is refusing and failure to comply with court orders". *Id.* Plaintiff included a copy of a grievance. ECF No. 12-1. From the grievance, it appears Plaintiff is confused as to the process of submitting the initial partial filing fee. *See id.*

Specifically, Plaintiff complains to jail officials that the “united states district courts ordered Madison county sheriff office have to take 20% off of my inmate account which the correct amount will be \$11.19 and also will be transfer over to the courts”. *Id.* In this Court’s previous order, Plaintiff was instructed that:

While Plaintiff’s custodian is ordered to make subsequent payments on Plaintiff’s behalf, Plaintiff should note that it is **HIS RESPONSIBILITY** to pay the initial partial filing fee. Thus, Plaintiff must make arrangements with the appropriate official to ensure that the initial partial filing fee is paid in accordance with this Order.

ECF No. 8 at 3.

Nonetheless, it appears that Plaintiff has attempted to comply with the Court’s order to pay the initial partial filing fee,¹ just not as the Court instructed. ECF No. 12. Plaintiff will, therefore, be given one last opportunity to pay the fee as ordered.

Plaintiff must submit a request, in accordance with Madison County Jail policy and procedure, to the appropriate jail official to forward the initial partial payment of \$11.19 to this Court at the correct address for the Athens Division. Plaintiff shall have **FOURTEEN (14) DAYS** from the date of this Order to pay the fee as instructed. Plaintiff must also immediately inform the Court in writing of any change in his mailing address. Should Plaintiff fail to fully comply with this or any other order of the Court, this action can be dismissed without prejudice.

¹ On December 5, 2023, the Clerk of Court received a phone call purportedly from “Renee Saye at the Madison County Jail,” who stated that she was forwarding the initial partial filing fee of \$11.19 to the Court. The Court has still not received the initial partial filing fee.

There will be no service of process in this case until further order of the Court.

SO ORDERED, this 20th day of December, 2023.

s/ Charles H. Weigle

Charles H. Weigle

United States Magistrate Judge